

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Gorte, *et al.*

Confirmation No.: **5527**

Serial No.: **10/053,085**

Group Art Unit: 1795

Filing Date: **November 9, 2001**

Examiner: **Wang, Eugenia**

For: **USE OF SULFUR-CONTAINING FUELS FOR DIRECT OXIDATION
FUEL CELLS**

Electronically Filed : January 5, 2010

Mail Stop – Appeal Brief Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO DECEMBER 28, 2009
NOTICE OF NON-COMPLIANT APPEAL BRIEF**

Appellants hereby respond to the Notice of Non-Compliant Appeal Brief dated December 28, 2009.

Ms. Tracey M. Young (phone: 571-272-1644) of the patent office advised appellants via voicemail message on December 30, 2009 that Appellants could resolve all issues raised in the December 28, 2009 notice by submitting a claim listing that identifies the status of all claims in the application. Pursuant to Ms. Young's guidance, Appellants provide the following claim listing:

3. STATUS OF CLAIMS

| | |
|-------------------|----------------------------------|
| Pending: | Claims 2-19, 21-30, 55-56, 62-64 |
| Rejected: | Claims 2-19, 21-30, 55-56, 62-64 |
| Objected to: | None |
| Allowed: | None |
| Withdrawn: | None |
| Appealed: | Claims 2-19, 21-30, 55-56, 62-64 |
| Appeal Withdrawn: | None |
| Canceled: | 1, 20, 31-54, 57-61, 65-68 |

Should the patent office require any additional information, the undersigned attorney may be reached at the telephone number provided.

Date: January 5, 2010

/Aaron B. Rabinowitz/

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